



U.S. Department of Justice **FILED**
IN U.S. DISTRICT COURT

Michael J. Sullivan
United States Attorney
District of Massachusetts

2005 MAY 20 PM 2:21
U.S. DISTRICT COURT
DISTRICT OF MASS

Main Reception: (413) 785-0235
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Federal Building and Courthouse
1550 Main Street, Room 310
Springfield, Massachusetts 01103

May 20, 2005

Mark G. Mastroianni, Esq.
95 State Street
Springfield, MA 01103

Re: U.S. v. Eddie Santiago, Criminal No. 05-30020-MAP.

Dear Mr. Mastroianni:

This office has received Mr. Santiago's notice of non-waiver of the automatic discovery provisions of the Local Rules. Accordingly, the United States provides you with the following automatic discovery pursuant to Local Rule 116.1. Thank you for your willingness to permit the government additional time to gather the appropriate information.

A. Discovery Pursuant to Fed. R. Crim. P. 16(a)(1)(A)-(D)

1. Statements of the Defendant

Mr. Santiago did not make any statements to law enforcement agents upon his arrest.

2. Defendant's Prior Record

A copy of Mr. Santiago's criminal history prepared by Pre-trial Services is enclosed.

3. Documents and Tangible Objects

All documents and tangible items that the defendants is entitled to inspect and copy or photograph pursuant to Fed. R. Crim. P. 16(a)(1)(E) are available by appointment with the U.S. Attorney's Office, including the narcotics obtained from Mr. Santiago on or about May 17, 2004, except for those documents or

items, identified herein, that the government declines to produce presently pursuant to Local Rule 116.6.

4. Reports of Examinations and Tests

Enclosed is a copy of a DEA 7 report pertaining to the laboratory analysis of Exhibit 1, approximately 99 grams of cocaine base in the form of crack cocaine, which was obtained from your client on May 17, 2004.

B. Search Materials

1. Search Warrant Applications, Affidavits, and Returns

None.

2. Written Description of Consent Searches and Inventory

None.

C. Electronic Surveillance

1. Written Description of Any Intercept

None.

2. Statement Whether or Not the Government intends to Offer Intercepts in its Case-in-Chief

N/A

3. Title III Applications, Affidavits, and Court Orders

None.

D. Consensual Intercepts

1. Written Description of Any Intercept

The government is in the process of copying the audio and video recordings of Mr. Santiago and will produce them to you when that process is complete. In the interim, you can view and/or listen to the recordings by making an appointment with the U.S. Attorney's Office.

E. Known Unindicted Co-conspirators

Pursuant to Local Rule 116.6, the government declines to identify any co-conspirators on the grounds that identification of any such persons might jeopardize on-going criminal investigations. In accordance with Local Rule 116.6, I am filing a copy of this letter (without the attachments) with the Clerk's Office.

F. Identifications

1. Written Statement Whether or Not Used for Any Witness

DEA agents showed an array of photographs, which included a known photograph of Mr. Santiago, to a cooperating individual, who identified Mr. Santiago as "E-Dub."

2. Evidence Reflecting Identification Procedure

A redacted copy of the report summarizing the identification procedure and a copy of the photographic array is enclosed.

G. Exculpatory Information

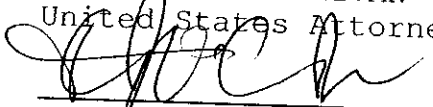
The government is not aware of any exculpatory information at the present time.

Please call me if you have any questions.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By:


Thomas J. O'Connor, Jr.
Assistant U.S. Attorney

Encs.